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Order Regarding Motion for Sentence Reduction

UNITED STATES DISTRICT COURT
NORTHERN _____ District of NEW YORK
UNITED STATES OF AMERICA ORDER AND AMENDED JUDGMENT
 REGARDING MOTION FOR SENTENCE
 REDUCTION PURSUANT TO 18 U.S.C. § 3582(c)(2)

V.

KOLONGI RICHARDSON

Case Number: 5:04-cr-397-002 (DNH)USM Number: 12856-052

Lisa A. Peebles, Esq.

Defendant's Attorney

Date of Previous Judgment: January 5, 2006
 (Use Date of Last Amended Judgment if Applicable)

Upon motion of the defendant the Director of the Bureau of Prisons the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

DENIED. GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 108 months **is reduced to 87 months**.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)Previous Offense Level: 34Amended Offense Level: 32Criminal History Category: ICriminal History Category: IPrevious Guideline Range: 151 to 188 monthsAmended Guideline Range: 121 to 151 months**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE** The reduced sentence is within the amended guideline range.

The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

 Other (explain): _____**III. ADDITIONAL COMMENTS**

Except as provided above, all provisions of the judgment dated January 5, 2006 shall remain in effect.

IT IS SO ORDERED.April 25, 2008

Order Date

Effective Date (if different from order date)

David N. Hurd
District Judge
